

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID ERIC ALLEN,

Petitioner,

v.

SCI-DALLAS SUPERINTENDENT,

Respondent.

CIVIL ACTION
NO. 17-794

ORDER

AND NOW, this 16th day of January 2018, upon consideration of the Petition for a Writ of Habeas Corpus (Doc. No. 1), the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa (Doc. No. 19), and that the Report and Recommendation has not been objected to by the parties, it is **ORDERED** that:

1. The Report and Recommendation (Doc. No. 12) is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**.
3. A Certificate of Appealability **SHALL NOT** issue because, based on the analysis contained in the Magistrate Judge's Report and Recommendation, as approved and adopted by this Court, Petitioner has not made a substantial showing of the denial of a constitutional right and reasonable jurists would not debate the correctness of this ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).
4. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.